

Alcoholic Beverages

Statewide Bills

Refillable Containers – “Growlers”

In 2012, Baltimore City and Howard County allowed certain retail establishments to sell beer in refillable containers (commonly called “growlers”). In 2013, refillable container licenses were expanded to several more jurisdictions and, in Howard County a refillable container license for wine was created. Chapter 589 of 2013 expanded the concept to the manufacturer’s level by authorizing the Comptroller to issue a refillable container permit to a holder of a brewery license.

Senate Bill 546/House Bill 208 (both passed) standardize the requirements for all refillable containers authorized by local jurisdictions for use in the sale of draft beer and wine for off-premises consumption. The bills rename a “refillable container license” as a “refillable container permit” to indicate that the authorization is secondary in nature and may be issued only to a person who already has an alcoholic beverages license. The bills consolidate, in one section of the law, the standards that refillable containers must meet. Most of these standards are scattered throughout the Alcoholic Beverages Article. The bills include a requirement that a refillable container be branded with an identifying mark of the seller of the container. Baltimore, Carroll, Harford, Prince George’s, and St. Mary’s counties are added to the roster of counties in which refillable container permits for beer may be issued.

In addition, *Senate Bill 341/House Bill 1079 (both passed)* authorize the Board of License Commissioners in Calvert County to issue refillable container permits. This authority already exists in the following jurisdictions: the City of Annapolis; Baltimore City; and Anne Arundel, Cecil, Dorchester, Garrett, Howard, Montgomery, and Wicomico counties. A refillable container permit for wine may also be issued in Howard County. The bills also authorize the Comptroller to adopt standards for refillable containers, including containers originating from outside the State. As a result, a permit holder in one jurisdiction in the State will be able to refill a customer’s container originating from another jurisdiction in the State or from outside the State, as long as the container meets standards that the Comptroller adopts.

Beer and Breweries

Brewing Company Off-site Permit: Senate Bill 226 (passed) establishes a brewing company off-site permit. The Comptroller may issue a brewing company off-site permit to a Class 7 micro-brewery that produces less than 3,000 barrels per year or a Class 8 farm brewery subject to specified requirements. The permit may be used to sell to a consumer up to 288 ounces of beer that has been produced by the permit holder for off-premises consumption. The permit may also be used to sell beer at certain farmers’ markets and other events.

Retail Sale of Prepackaged Beer: House Bill 464 (passed) authorizes the holder of a Class 7 micro-brewery license to sell at retail to customers for consumption off the licensed premises prepackaged, nonrefillable containers of the micro-brewery’s own beer.

Farm Breweries – Location and Self-distribution: Chapter 207 of 2013 established a Class 7 limited beer wholesaler’s license that authorizes the license holder to sell, deliver, and distribute

up to 3,000 barrels annually of its own beer produced at the holder's premises to a retail license holder or permit holder in the State under specified circumstances.

House Bill 337 (passed) authorizes a holder of a Class 8 farm brewery license to obtain a Class 7 limited beer wholesaler's license. The bill also removes the prohibition on the issuance of a license for the sale of alcoholic beverages for any place of business located within specified election districts in Frederick County if the business is a holder of a Class 8 farm brewery license.

Farm Breweries – Festival Licenses: Chapters 542 and 543 of 2012 established a Class 8 farm brewery manufacturer's license. **House Bill 356 (passed)** expands the eligibility for special festival licenses in Baltimore City and Baltimore, Carroll, Dorchester, Frederick, Garrett, St. Mary's, and Wicomico counties to include holders of a Class 8 farm brewery license. The bill specifies that, in Garrett County, a holder of a Class 8 farm brewery license may open on Sundays during specified hours in a *precinct* in an election district where the voters, in a referendum authorized by law, have approved Sunday beer sales at a farm. The bill also authorizes a holder of a Class 8 farm brewery license to enter into a written temporary delivery agreement with a distributor for the delivery and return of beer to a beer festival or a wine and beer festival, provided the festival is located within a sales territory for which the holder does not have a franchise with a distributor under the Beer Franchise Fair Dealing Act.

Wine, Wineries, and Farmers' Markets

Farmers' Market Permit: Chapter 396 of 2013, which established a winery off-site permit and a wine festival permit, repealed the Comptroller's authority to issue a farmers' market permit to a holder of a license other than a Class 4 limited winery license.

House Bill 600 (passed) reestablishes the Comptroller's authority to issue a farmers' market permit to a holder of a license other than a Class 4 limited winery license if the license was issued by the local licensing board of the jurisdiction in which the farmers' market will be held.

Kosher Wine Seller's Permit: Senate Bill 287/House Bill 830 (both failed) would have established a kosher wine seller's permit. The bills were withdrawn in light of a compromise reached between the Comptroller, distributors of kosher wine, and the Maryland State Licensed Beverage Association (MSLBA). As a result of this compromise, kosher wine distributors will submit semi-annual lists of all the kosher wines they sell to the Comptroller. The Comptroller will then use these lists to create a website listing the kosher wines obtainable in Maryland and the corresponding distributor who sells these kosher wines. Finally, MSLBA will craft language designed to educate retailers on how to order kosher wines not listed in the *Beverage Journal* so that the Comptroller may include this information on its website.

Maximum Alcohol Content

An alcoholic beverage containing 95% alcohol (190 proof) or more is often referred to as "grain alcohol." The retail sale of grain alcohol is illegal or restricted for nonpotable use in at least a dozen states, including neighboring Pennsylvania, Virginia, and West Virginia.

Senate Bill 75/House Bill 359 (both passed) prohibit a person from selling at retail an alcoholic beverage with an alcohol content by volume of 95% (190 proof) or more.

Hard Cider – Definition

According to the Comptroller, for several years, taxes have been submitted by manufacturers on what appears to be small quantities of pear cider (traditionally called perry) as it is brought into the State. *Senate Bill 161/House Bill 261 (both passed)* codify current practice by expanding the definition of “hard cider” to include a beverage derived primarily from pears, or pear concentrate and water, containing at least one-half of 1% and less than 7% of alcohol by volume.

Prohibition of Vaportinis and Similar Devices

House Bill 4 (passed) expands the definition of an “alcohol without liquid (AWOL) machine” to include a Vaportini, or any similar device, that mixes an alcoholic product with pure oxygen or other gas to produce a vaporized product that can be inhaled. As a result, the bill expands an existing prohibition related to the use, possession, purchase, transfer, or sale of AWOL machines to apply to Vaportinis.

Local Bills

Anne Arundel County

Tasting Licenses: Effective July 1, 2014, *Senate Bill 1015/House Bill 591 (both passed)* create a Class BWLT beer, wine, and liquor (on-premises) tasting license in Anne Arundel County. A Class BWLT license may only be issued to a holder of a Class A beer, wine, and liquor (off-premises) license. The eligibility requirements for a Class BWT beer and wine (on-premises) tasting license are limited so that the license may only be issued to a holder of a Class A beer, wine, and liquor (off-premises) license or a Class A beer and wine (off-premises) license. The annual fee for a Class BWT license is increased from \$50 to \$150 and a \$500 fee for a Class BWLT license is established.

Baltimore City

Baltimore City Alcoholic Beverages Act of 2014: Chapter 263 of 2011 required the Office of Legislative Audits (OLA), at least once every three years, to conduct a performance audit of the Baltimore City Board of Liquor License Commissioners to evaluate the effectiveness and efficiency of the management practices of the board and the economy with which the board uses resources. The March 2013 OLA audit report, which was highly critical of the performance of the board, made 24 specific findings and recommendations involving licensing, inspections, disciplinary procedures, and management oversight.

In response to the report, *Senate Bill 846/House Bill 831 (both passed)* provide for the appointment of three regular members and one alternate member to the board by the Governor by May 30, 2014. Each appointee to the board must be a resident and voter of Baltimore City, with high character and integrity and of recognized business capacity. The bills repeal the requirement that the executive secretary or the deputy executive secretary must be a member of the Maryland Bar. Also, significant changes are made to provisions governing the issuance, transfer, and renewal of licenses, including changes to the collection and allocation of board revenues.

Provisions taking effect July 1, 2014, include:

- An enumeration of the requirements for the completion of a license application, including a statement that an application for the issuance, transfer, or renewal is not complete unless the applicant has (1) obtained zoning approval or verification of zoning if the application is for renewal; (2) submitted all documents required in the application; and (3) paid all fines and fees that are due. The board is required to impose a fine that it determines for failure to comply with these requirements.
- A requirement that changes to an already completed license application be submitted not later than 15 days before a scheduled hearing. After the hearing on the application, an applicant may change the application only at a new hearing.
- Details requirements for a hearing by the board, including that the board must (1) starting on July 1, 2015, digitize and post online all records for public review and (2) adopt related regulations.
- A prohibition against a board member soliciting or reviewing directly or indirectly or on behalf of another person, a commission, political contribution, remuneration or gift, from (1) a person engaged in the manufacture, distribution, or sale of alcoholic beverages or (2) an agent or employee of a person engaged in the manufacture, distribution, or sale of alcoholic beverages. A board member must comply with Baltimore City public ethics laws and financial disclosure provisions enacted by the Mayor and the Baltimore City Council.
- A requirement that the board annually establish performance measures using the Citistat program of the City of Baltimore for such activities as financial management, issuance of licenses, and enforcement of alcoholic beverage laws.
- A requirement that, before the board adopts a regulation, the board provide at least a 30-day period for public comment and obtain a review by the city solicitor to ensure that the regulation complies with the authority granted to the board by the State.

Micro Breweries: Senate Bill 458/House Bill 953 (both passed) add the 40th Alcoholic Beverages District of Baltimore City to the list of locations in which a holder of a certain Class D alcoholic beverages license may be issued a Class 7 micro-brewery (on- and off-sale) license. The bills also (1) authorize the license holder to brew at two locations using the same license if the Comptroller determines that the second location is necessary because of insufficient space at the existing license location; (2) prohibit the holder of the license from serving or selling beer at the second brewing location; and (3) authorize the license holder to obtain a Class 2 rectifying license for the premises at the two locations.

Class B Licenses: Senate Bill 793 (passed) authorizes the board to issue or allow the transfer of up to two Class B beer, wine, and liquor licenses into the area of 829 through 919 E. Fort Avenue within the 46th Legislative District only if the board (1) has executed a memorandum of understanding between the community associations in Riverside and Locust Point regarding the nature of the proposed establishment and (2) enforces the memorandum of understanding against any license holder seeking to renew or transfer the license. The cumulative number of licenses that may be issued or transferred is two. The board may not allow such a license to be transferred out of the area within the 46th Legislative District into any other area of Ward 24, Precinct 5.

Class C Licenses: Senate Bill 1103 (passed) authorizes the board to issue a Class C beer, wine, and liquor license in Ward 5, Precinct 1 of the 44th Alcoholic Beverages District.

Baltimore County

Refillable Containers: Senate Bill 546/House Bill 208 (both passed) are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In Baltimore County, the bills authorize the Baltimore County Board of License Commissioners to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class A, Class B, or Class D license.

Calvert County

Organizational Licenses: Senate Bill 496 (passed) authorizes the Calvert County Board of License Commissioners to issue an organizational license to a fraternal organization, volunteer fire department, or volunteer rescue squad for use on the premises that the organization, fire department, or rescue squad owns or regularly uses to hold functions. A licensee may sell beer, wine, and liquor by the drink for consumption on the licensed premises only. The annual license fee is \$500.

Premises Inspections and Penalties: Senate Bill 495 (passed) authorizes the Calvert County Board of License Commissioners, or its designee, to inspect each licensed premises in the county every six months, rather than requiring the board to inspect each licensed premises in the county at least once every three months. The board may suspend an alcoholic beverages license for any alcoholic beverages violation in the county or, except for bottle club violations, impose a fine of up to \$1,000 for a violation of State law or \$500 for a violation of the rules and regulations of the board. If an alcoholic beverages licensee, or an employee of the licensee, sells alcoholic beverages to a person younger than age 21, the board, for a first offense, may suspend the license for up to three days and/or impose a fine of up to \$500. For an offense occurring within three years after a prior offense, the board may suspend the license for up to 30 days and/or impose a fine of up to \$1,000. The board must consider the license class and the economic impact the suspension will have on the business of the licensee when determining the length of a suspension.

Special Event (Festival) Permit: Senate Bill 548 (passed) authorizes the Calvert County Board of License Commissioners to issue a Special Event (festival) beer, wine, and liquor (on-sale) permit to a Class B or Class D license holder. The applicant must demonstrate a reasonable expectation of attracting at least 500 patrons to the special event and commit to provide additional security personnel at the event for traffic, parking, and patrol purposes as required. Subject to the board's discretion, the permit authorizes the holder to operate additional bars or service counters for the sale and service of alcoholic beverages inside or outside the licensed establishment for at least one day and not more than three consecutive days. The permit fee is \$500.

Unlicensed Establishments: Senate Bill 340 (passed) generally prohibits an establishment that is not licensed by the Calvert County Board of License Commissioners from giving, serving, dispensing, keeping, or allowing to be consumed on its premises, or on premises under its control or possession, any alcoholic beverages. However, a volunteer fire department, rescue squad, or emergency medical services organization may conduct no more than four events annually on

their premises or premises under their control or possession to which individuals may bring and consume alcoholic beverages. A violator is guilty of a misdemeanor and subject to maximum penalties of two years imprisonment and/or a fine of \$10,000.

Refillable Container Permit: Senate Bill 341/House Bill 1079 (both passed) authorize the Calvert County Board of License Commissioners to issue a refillable container permit to a holder of a Class A, Class B, or Class D alcoholic beverages license. A refillable container permit entitles the holder to sell draft beer for consumption off the licensed premises in a refillable container with a capacity of not less than 32 ounces and not more than 128 ounces. A refillable container permit applicant must complete the form that the board provides and pay an annual permit fee of \$50 if the applicant already has an off-sale privilege, or \$500 if the applicant does not have an off-sale privilege.

Caroline County

Volunteer Fire Companies: Senate Bill 764 (passed) authorizes Caroline County volunteer fire companies to store alcoholic beverages on the licensed premises in between licensed events if the alcoholic beverages are in a specially identified locked and secured location and are not sold or consumed except during licensed event hours for licensed event purposes. A license holder who violates these provisions is subject to a \$100 fine for the first offense and, for the second offense, a fine of up to \$500 and denial of future requests for a license for an individual event or a special multiple event license.

Carroll County

License Fee Increases: Senate Bill 560/House Bill 156 (both passed) phase in increases in license fees for alcoholic beverages licenses in Carroll County. The fee increases are phased in from fiscal 2015 through 2018, as shown below.

**Carroll County Alcoholic Beverages License Fee
Increases Fiscal 2015 through 2018**

<u>License Class</u>	<u>Allowed Beverages</u>	<u>Current License Fee</u>	<u>Proposed License Fee FY 2015-2017</u>	<u>Proposed License Fee Beginning FY 2018</u>
Class A	beer	\$100	\$200	\$250
Class A	beer and wine	\$140	\$340	\$500
Class A	beer, wine, and liquor	\$650	\$850	\$1,000
Class D	beer	\$130	\$250	\$250
Class D	beer and wine	\$160	\$250	\$250

Source: Department of Legislative Services

Refillable Containers: Senate Bill 546/House Bill 208 (both passed) are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In Carroll County, the bills authorize the Carroll County Board of License Commissioners to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class A, Class B, or Class D license.

Charles County

Alcoholic Beverages Licenses: House Bill 300 (Ch. 95) alters the minimum distance restriction in Charles County so that a license to sell alcoholic beverages for consumption off premises may not be granted in any building in which the nearest wall, measured in a direct line, is within 1,000 feet, rather than 500 feet, of the property line of any school accredited by the State Board of Education. The existing 500-foot restriction remains with respect to a license to sell alcoholic beverages for consumption on premises. The Act does not apply to, affect, or prohibit the renewal or transfer of any license issued prior to May 1, 2014.

Beer, Wine, and Liquor Licenses: House Bill 248 (passed) increases various Class B alcoholic beverages license fees in Charles County by restructuring the county's existing Class B alcoholic beverages licensing scheme and instituting extra fees for additional license privileges, such as providing outdoor table service or live entertainment. Under the bill, the Charles County Board of License Commissioners may issue a Class B-R (restaurant) on-sale beer, wine, and liquor license, a Class B-RB (restaurant/bar) on-sale beer, wine, and liquor license, a Class B-T (tavern) on-sale beer, wine, and liquor license, a Class B-N (nightclub) on-sale beer, wine, and liquor license, and a Class B-H (hotel) on-sale beer, wine, and liquor license. The bill also renames a Class BLX license to a Class B-BLX (luxury restaurant) on-sale beer, wine, and liquor license.

Population Quota in Sixth Election District: The 6th Election District of Charles County has a population of approximately 78,000 people. Of the 98 alcoholic beverages licenses issued in the 6th district, 40 licenses have off-sale privileges. **House Bill 419 (passed)** specifies that the Charles County Board of License Commissioners use the *resident* population figures of the last federal census when determining the number of off-sale alcoholic beverages licenses that may be issued within each election district. Additionally, the bill authorizes the board to issue in the 6th election district one alcoholic beverages license with an off-sale privilege per every unit of 2,700 people (instead of 1,350 people) based on the resident population figures of the last federal census.

Dorchester County

Sunday Sales: Senate Bill 60/House Bill 167 (both passed) authorize Class B (off-sale) beer and light wine licensees to sell beer and light wine on Sunday from 10 a.m. to midnight. The bills also expand the hours for sale of beer and light wine under a Class B (on-sale) beer and light wine license on Sunday from 10 a.m. to midnight instead of between noon and midnight. If Christmas Eve or New Year's Eve is on a Sunday, beer and light wine may be sold both on and off premises from 10 a.m. to 2 a.m. the following day.

Frederick County

Frederick County Alcoholic Beverages Act of 2014: Senate Bill 619/House Bill 433 (both passed) authorize the Frederick County Board of License Commissioners to issue a license for the sale of beer, wine, and liquor for consumption on the premises only to an organization located in the county that is a bona fide religious, fraternal, civic, war veterans', or patriotic organization. All net proceeds from the sale of alcoholic beverages by these organizations must be used solely for charitable purposes or to further the purposes of the organization. The bills also allow all of the bottles in a wine preservation system that the board approves to be opened at a wine sampling or tasting event in the county. However, no more than six other bottles of wine

may be opened by a holder of a solicitor's permit, the holder of the beer and wine sampling or tasting license, or an employee of the license holder. A single individual may not consume more than six ounces of wine from all brands in a single day.

Country Inn Licenses: Senate Bill 618/House Bill 472 (both passed) authorize the Frederick County Board of License Commissioners to issue a Class B-CI (country inn) on-sale beer, wine, and liquor license for the use of an establishment that meets specified requirements in the Burkittsville (twenty-second) election district.

Farm Breweries: House Bill 337 (passed) is a statewide bill that authorizes a holder of a Class 8 farm brewery license to obtain a Class 7 limited beer wholesaler's license. In Frederick County, the bill removes the prohibition on the issuance of a license for the sale of alcoholic beverages for any place of business located within the following election districts if the business is a holder of a Class 8 farm brewery license: Catoctin (6th); Hauvers (10th); Jackson (16th); Linganore (19th); and Ballenger (23rd).

Garrett County

Beer Festival License: Currently, the Garrett County Board of License Commissioners may issue two beer festival licenses annually to a holder of a retail alcoholic beverages license issued by the board, a Class 5 brewery license, a Class 6 pub-brewery license, or a Class 7 micro-brewery license. The license entitles the holder to display and sell at retail beer that is manufactured and processed in the State and distributed in the State when the application is filed, for consumption on or off the premises on the days and for the hours designated for a beer festival in Garrett County. The beer festival license fee is \$100.

Senate Bill 420 (passed) alters beer festival licenses in Garrett County so that the holder of a beer festival license may display and sell at retail beer that was manufactured and processed in any state, instead of only beer that was manufactured and processed in Maryland. It also adds a Class 8 farm brewery license holder to the list of applicants eligible for a beer festival license in Garrett County.

Sunday Sales: House Bill 690 (passed) authorizes specified Sunday sales of alcoholic beverages for *off-premises* consumption in an election district or precinct of an election district in Garrett County in which voters approve such sales by local referendum. The referendum must take place at the November 2014 general election. The bill takes effect July 1, 2014, for the purpose of providing for the referendum. If the referendum is approved in an election district or precinct, the bill's provisions are effective December 15, 2014, in that district or precinct.

In addition, ***House Bill 1097 (passed)*** submits to a referendum of the qualified voters of specified election districts or precincts in Garrett County, at the November 2014 general election, a question of whether to authorize specified Sunday *on-premises* sales of alcoholic beverages in the applicable district or precinct. The Garrett County Board of License Commissioners must provide to the Department of Legislative Services, by December 1, 2014, a complete list of all election districts and precincts in Garrett County in which Sunday sales of alcoholic beverages are authorized. Those districts and precincts must then be listed in a specified location in the Annotated Code of Maryland by the publishers of the Code.

Class A2 Light Wine Licenses: House Bill 836 (passed) repeals the authority of the Garrett County Board of License Commissioners to issue a Class A2 light wine (on- and off-sale) license and repeals provisions related to the license. Garrett County reported that there are no Class A2 light wine (on- and off-sale) licenses issued in the county. A local winery in the county had a license in the past, but it is no longer needed since similar privileges are now available under the State Class 4 limited winery license issued by the Comptroller. The scope of operations and activities of a Class 4 limited winery licensee were expanded under Chapter 355 of 2010, including allowing for greater flexibility to provide on- and off-premises sales.

Harford County

Class H-CC (Corporate Club/Conference Center) Beer, Wine, and Liquor License: Senate Bill 552 (passed) eliminates the requirements that a Class H-CC (corporate club/conference center) license only be used by a private club of at least 25 members who pay an annual membership fee and may not be used for any purpose other than for the benefit of the club. A Class H-CC license may keep for sale and sell beer, wine, and liquor, instead of beer, wine, or liquor, in a corporate dining room, in addition to a banquet room, conference room, or meeting room and other approved areas. The holder of a Class H-CC license may hold no more than four, instead of one, self-sponsored events per year in the banquet, conference, or meeting room.

Residency Requirements: House Bill 1170 (passed) specifies that an applicant for a Class B restaurant or Class D tavern license who is acting on behalf of a partnership, an association, a limited liability company, a sole proprietorship, or a club or corporation, whether incorporated or unincorporated, must be a resident of the State for at least one year before filing the application, must remain a resident as long as the license is in effect, and must reside within a 100-mile radius of the Town of Bel Air. An applicant acting on behalf of these same specified business entities and applying for any other alcoholic beverages license must be a resident of Harford County for at least one year before filing the application, must remain a resident as long as the license is in effect, and must reside within a 100-mile radius of the Town of Bel Air.

The bill also requires that in Harford County, in addition to other specified requirements, one of the applicants of a corporation, whether incorporated or unincorporated, or a limited liability company must be a responsible operator of the licensed establishment who has been a resident of the State for at least one year and remains a resident as long as the license is in effect and must reside within a 100-mile radius of the Town of Bel Air. A responsible operator must own at least 25% of the total business, except for an applicant for a Class B (beer, wine, and liquor) license.

Refillable Containers: Senate Bill 546/House Bill 208 (both passed) are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In Harford County, the bills authorize the Harford County Board of License Commissioners to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class A-1 or A-2 license, a Class B license that has off-sale privileges, or a Class D license.

Howard County

Population Restrictions on Class A Licenses: Senate Bill 1112 (passed) limits the number of Class A alcoholic beverage licenses of any type that can be issued by the Howard County Board of License Commissioners to one license for every 4,000 Howard County residents, as determined by the latest federal census. However, this limitation does not apply to a license issued for use in an existing shopping center or a proposed shopping center development for which a building permit has been issued that contains 200,000 or more square feet of commercial retail space.

Beer Festivals: House Bill 1091 (passed) authorizes the Howard County Board of License Commissioners to issue a special beer festival license to the holder of a current retail alcoholic beverages license issued in the State, a State Class 5 brewery license, a State Class 7 micro-brewery license, or a State Class 8 farm brewery license. The holder of a special beer festival license may display and sell at retail beer for consumption on or off the licensed premises on festival days and hours. The license fee is \$50 for a one- or two-day festival. The board must approve one weekend at an unlicensed premises in Howard County for the special beer festival.

Kent County

Kent County Alcoholic Beverages Act of 2014: Senate Bill 49/House Bill 226 (both passed) authorize the Kent County Board of License Commissioners to issue a beer or wine tasting (BWT) license to a holder of a Class A beer and wine license or a Class A beer, wine, and liquor license. Additionally, the inspector employed by the board may serve summonses and issue citations for specified alcohol-related crimes in Kent County. The inspector must complete training in the proper use of arrest authority and pertinent police procedures as required by the board.

The Kent County BWT license allows the licensee to serve, for tasting purposes only, samples of up to two ounces of wine from a given brand and four ounces from all brands and up to two ounces of beer from a given brand and six ounces from all brands to any one person in a single day for on-premises consumption. The wine served may not contain more than 22% alcohol by volume. The license holder may not conduct a wine tasting event and a beer tasting event on the same day. The annual BWT license fee is \$200.

Montgomery County

Beauty Salon License: House Bill 137 (passed) authorizes the Montgomery County Board of License Commissioners to issue a special beauty salon beer and wine license to a holder of a beauty salon permit. The annual license fee is \$100. The license authorizes the licensee to provide no more than five ounces of beer or wine by the glass for on-premises consumption by a beauty salon customer during specified cosmetology services and permitted fundraising events. The license may not be transferred to another location. Beer and wine may be provided during normal business hours but no later than 9 p.m. each night. Licensees are subject to specified existing alcohol awareness training requirements.

Beer Sales and Delivery to Retail Dealers: Senate Bill 305/House Bill 132 (both passed) authorize a holder of a Class 7 limited beer wholesaler's license or of a nonresident brewery permit to sell or deliver its own beer to a county liquor dispensary, a restaurant, or any other

retail dealer in Montgomery County. The bills also authorize a county liquor dispensary, a restaurant, or any other retail dealer in Montgomery County to purchase beer directly from a holder of a Class 7 limited beer wholesaler's license or of a nonresident brewery permit.

Beer, Wine, and Liquor Licenses: Senate Bill 657/House Bill 463 (both passed) authorize the Montgomery County Board of License Commissioners to issue Class D beer, wine, and liquor licenses for on-premises consumption. The annual license fee is \$3,000. The bill establishes provisions relating to license requirements and inspections of licensed establishments. The bills also extend the time of day that holders of Class B-BWL and Class B-BWL (H-M) licenses may sell or provide alcoholic beverages. To obtain a Class D beer, wine, and liquor license, the owner must attest in a sworn statement that gross receipts from food sales in the establishment will be at least 40% of the total gross receipts from sales of food and alcoholic beverages combined from 10 a.m. to 9 p.m. on Sundays and 9 a.m. to 9 p.m. on all other days. The board must adopt regulations to conduct inspections to determine if the ratio is being met. The regulations must ensure (1) at least monthly physical inspections of the premises during the initial year of any licensee and (2) monthly statements submitted to the board by the licensee that show gross receipts from the sale of food and gross receipts from the sale of food and alcohol for the preceding month. The bills also extend the hours that a holder of Class B-BWL, Class B-BWL(H-M) or Class D beer, wine and liquor license may sell alcoholic beverages on certain days.

Clubhouse/Lodge License: Senate Bill 459/House Bill 269 (both passed) establish a Class B-BWL (Clubhouse/Lodge) alcoholic beverages license and authorizes the Montgomery County Board of License Commissioners to issue the license for use by specified facilities. The annual license fee is \$1,000. The board may issue a Class B-BWL (Clubhouse/Lodge) license to the Executive Director of the Montgomery County Revenue Authority, or the executive director's designee, for use by a multi-use facility that accommodates a golf course, a restaurant, a clubhouse, a tasting bar, and the catering of events anywhere on the property. The license authorizes the licensee to (1) sell beer and wine for consumption off the licensed premises; (2) sell beer, wine, and liquor for consumption on the licensed premises; and (3) offer samples of alcoholic beverages at no charge or for a fee. The holder of this license is not required to be located in any specified geographic location and is not required to maintain any alcohol sales to food sales ratio. The annual license fee is \$1,000.

Except under specified circumstances, a person may hold a maximum of 10 Class B beer, wine, and liquor licenses in Montgomery County under ***Senate Bill 307/House Bill 144 (both passed)***. The bills remove provisions that limit a holder of a Class B beer, wine, and liquor license in Montgomery County from obtaining additional licenses unless the license is for specified enterprise zones, cities, or business areas. The bills also remove provisions that limit the number of additional Class B beer, wine, and liquor licenses that may be obtained based on the amount of time a license holder has held his or her other licenses.

Community Performing Arts Facility Special BWL License: Senate Bill 311/House Bill 146 (both passed) authorize the Board of License Commissioners to issue a Special BWL Community Performing Arts Facility alcoholic beverages license under specified conditions and subject to specified requirements. The annual license fee is \$750. Under the bills, a "community

performing arts facility” is any facility used for shows, live performances, theater productions, art classes, exhibits, visual art shows, weddings, banquets, and community-related activities. To qualify for a license, the performing arts facility must have a capacity of at least 200 but no more than 1,499 people. The licensee may sell alcoholic beverages by the drink for consumption only on the licensed premises during the hours from 10 a.m. to 2 a.m. the following day. Food must be served or provided during the hours in which alcoholic beverages are sold or consumed.

Beer Festivals: Although Chapter 49 of 2005 authorized Montgomery County to conduct a wine festival under specified conditions, the county is not currently authorized to conduct a beer festival. ***Senate Bill 298/House Bill 136 (both passed)*** authorize Montgomery County to conduct the Montgomery County Beer Festival through a “festival organization” to be selected by the county. The bills establish various requirements and limitations regarding the festival and the nonprofit organization selected to organize the festival. “Festival organization” means a nonprofit organization that is selected by Montgomery County to organize a festival. The festival is to be held no more than four weekends per year and is to be conducted under the supervision of the Montgomery County Department of Liquor Control. Before a person may sell or display beer at a festival, the person must contract with the festival organization and obtain a special beer festival license from the Montgomery County Board of License Commissioners. The license fee is \$30 per day.

Micro Brewery Licenses and Class D Beer and Light Wine Licenses: Senate Bill 310 (Ch. 55) authorizes the holder of a Class D beer and light wine license in Montgomery County to be issued a Class 7 micro-brewery license by the Comptroller.

Proportion of Food and Alcoholic Beverages Sales: Senate Bill 300/House Bill 142 (both passed) decrease, from 50 to 40%, the minimum ratio of food sales to food and alcoholic beverage sales combined that restaurants and hotels must maintain in order to obtain or renew a Class B beer, wine, and liquor license in Montgomery County.

City of Takoma Park: Senate Bill 302/House Bill 131 (both passed) repeal the June 30, 2014 termination date of Chapter 390 of 2012, which provided an off-sale privilege for Class B beer and light wine licenses issued for hotels and restaurants in the City of Takoma Park in Montgomery County.

Town of Kensington: House Bill 135 (passed) authorizes the Montgomery County Board of License Commissioners to issue a special B-K alcoholic beverage license to a restaurant located at the East side of Connecticut Avenue between Warner Street and Knowles Avenue in the Town of Kensington. A holder of the license may not serve alcoholic beverages after 11 p.m. Licensees of a special B-K alcoholic beverages license in Kensington may sell alcoholic beverages for consumption on the premises and must maintain a specified average daily receipts from the sale of food, not including carryout food. The location addressed by the bill is planned to be the site of an office building and a restaurant.

Prince George’s County

Refillable Containers: Senate Bill 546/House Bill 208 (passed) are statewide bills that standardize the requirements for alcoholic beverages refillable containers used in the sale of draft

beer, craft beer, or wine for off premises consumption. In Prince George's County, the Prince George's County Board of License Commissioners is authorized to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class B beer, wine, and liquor license that has off-sale privileges.

Somerset County

Micro-Brewery Licenses: Senate Bill 250/House Bill 287 (both passed) add Somerset County to the list of jurisdictions in which a Class 7 micro-brewery license may be issued. The license may be issued to a holder of a Class B beer, wine, and liquor (on-sale) license for use on the premises of a restaurant. The bills also give a micro-brewery licensee in Somerset County the off-sale privilege to sell beer brewed under the license to customers for consumption off the licensed premises in refillable containers that are sealed by the licensee at the time of each refill.

St. Mary's County

Refillable Containers: Senate Bill 546/House Bill 208 (both passed) standardize the requirements for alcoholic beverages refillable containers used in the sale of draft beer, craft beer, or wine for off premises consumption. In St. Mary's County, the St. Mary's Alcohol Beverage Board is authorized to issue a refillable container permit to sell draft beer in refillable containers for consumption off the licensed premises to a holder of a Class A, Class B, or Class D license.

Washington County

Restaurant Seating Capacity and License Quota: Senate Bill 692/House Bill 322 (both passed) reduce the required minimum seating capacity in the definition of a "restaurant" in Washington County from 75 to 50 persons for a Class P alcoholic beverages (on-sale) license. The bills also exclude Class P licenses from being factored in calculating Washington County's "population ratio quota" for alcoholic beverage licenses.

Worcester County

Senate Bill 1079 (passed) authorizes the board to issue a Class D beer, wine, and liquor license within the corporate limits of the towns of Berlin and Snow Hill.